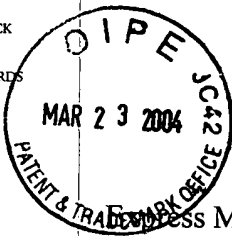


RICK D. NYDEGGER  
BRENT P. LORIMER  
THOMAS R. VUKSINICK  
LARRY R. LAYCOCK  
JONATHAN W. RICHARDS  
DAVID R. WRIGHT  
JOHN C. STRINGHAM  
JOHN M. GUYNN  
CHARLES L. ROBERTS  
DANA L. TANGREN  
ERIC L. MASCHOFF  
CHARLES J. JEVERKA  
ROBYN L. PHILLIPS  
RICHARD C. GILMORE \*  
STERLING A. BRENNAN \*  
R. BURNS ISRAELSEN  
DAVID R. TODD  
GREGORY M. TAYLOR  
DAVID B. DELLENBACH  
L. DAVID GRIFFIN  
ADRIAN J. LEE  
FRASER D. ROY  
CARL T. REED



R. PARRISH FREEMAN, JR.  
PETER F. MALEN, JR.  
L. REX SEARS, PH.D.  
WILLIAM R. RICHTER  
ERIC M. KAMERATH  
ROBERT E. AYCOCK  
JENS C. JENKINS  
KEVIN W. STINGER  
WILLIAM J. ATHAY  
MICHAEL B. DODD  
RYAN D. BENSON  
SARA D. JONES  
TIGER KELLER  
JANNA L. JENSEN  
MATTHEW D. TODD  
J. LAVAR OLDHAM  
MICHAEL J. FRODSHAM  
JOSEPH L. KRUPA  
BRETT A. HANSEN  
BRETT I. JOHNSON  
MATTHEW A. BARLOW  
WESLEY C. ROSANDER  
ANDREW S. HANSEN  
CHAD E. NYDEGGER  
JOSEPH G. PIA  
CLINTON E. DUKE  
DAVID J. LORENZ †



# WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UTAH 84111  
TELEPHONE: (801) 533-9800  
FAX: (801) 328-1707  
WEBSITE: HTTP://WWW.WNLAW.COM

Express Mail Label No. EV 384 065 125 US

PATENT APPLICATION  
Docket No: 13914.632

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dalebout et al.

Serial No.:

09/737,392

Confirmation No.:

1890

Filed:

December 15, 2000

For:

SELECTIVELY DYNAMIC EXERCISE PLATFORM

Examiner:

Lori Baker Amerson

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)  
) Art Unit  
) 3764  
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### TRANSMITTAL FOR REQUEST FOR CONTINUED EXAMINATION, PETITION FOR CORRECTION OF INVENTORSHIP, AND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.114 is a Request for Continued Examination and a Petition for Correction of Inventorship. Also transmitted herewith for filing is a Supplemental Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

Statement of relevance of selected cited references not in the English language which are not translated.

03/26/2004 YPOLITE1 00000024 09737392

02 FC:1460

130.00 DP

☐ Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.

☐ Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

☒ Form PTO-1449 listing EIGHT (8) references submitted for consideration.

☒ Copies of EIGHT (8) of the references listed on the Form PTO-1449.

☐ English translations of N/A of the references listed on the Form PTO-1449 which are not in the English language.

☐ Copies of the following documents from the prosecution of a previous, related application:

☐ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and

☐ Form PTO-892

B. Additional Materials Required for Request for Continued Examination:

☒ Credit Card Payment Form PTO-2038 in the amount of \$770.00 to cover the filing fee for Request for Continued Examination.

C. Additional Materials Required for Petition for Correction of Inventorship:

☒ Credit Card Payment Form PTO-2038 in the amount of \$130.00 to cover the filing fee for Request for Continued Examination;

☒ FOUR (4) Statements of Inventor Being Added;

☒ Consent of Assignee to Correction of Inventorship; and

☒ SEVEN (7) Declarations.

D. Fees

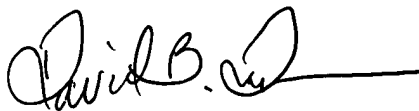
The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

X Any fee required in relation to filing of this letter or any documents transmitted therewith.

X The submission fee for Request for Continued Examination as set forth in 37 C.F.R. § 1.14.

Dated this 23 day of March, 2004.

Respectfully submitted,



David B. Dellenbach  
Attorney for Applicants  
Registration No. 39,166  
Customer No. 022913

Express Mail Label No. EV 384 065 125 US

PATENT APPLICATION

Docket: 13914.632



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

William T. Dalebout, et al.

Serial No.: 09/737,392

Filed: December 15, 2000

Confirmation No.: 1890

For: SELECTIVELY DYNAMIC EXERCISE PLATFORM

Examiner: Lori Baker Amerson

)  
)  
)  
)  
) Art Unit  
) 3764  
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PETITION FOR CORRECTION  
OF INVENTORSHIP

Mail Stop: PETITIONS – INVENTORSHIP  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.48(a), Applicants respectfully request that the above-identified application be amended to add the following inventors:

Name: Richard Eldon Fry  
Address: 1198 Elm Avenue  
Provo, UT 84604  
Citizenship: United States of America

Name: Rodney L. Hammer  
Address: 381 North Main  
Lewiston, UT 84320  
Citizenship: United States of America

Name: Mark G. Hecox  
Mailing Address: 1895 J.W. Foster Blvd.  
Canton, MA 02021  
City of Residence: Hingham, MA  
Citizenship: United States of America

Name: Stephanie L. Montgomery  
Mailing Address: 1895 J.W. Foster Blvd.  
Canton, MA 02021  
City of Residence: Madison, NJ  
Citizenship: United States of America

Enclosed with this petition, please find:

(1) A statement from Richard Eldon Fry, Rodney L. Hammer, Mark G. Hecox and Stephanie L. Montgomery stating that the inventorship error occurred without any deceptive intention on their part;

(2) A statement from the assignee, ICON IP, Inc., agreeing to the change of inventorship;

(3) Declarations with all inventors listed, a separate Declaration for each inventor; and

(4) Credit Card Payment Form PTO-2038 in the amount of \$130.00 as set forth in 37 C.F.R. § 1.20(b). The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Petition to Deposit Account No. 23-3178.

Dated this 23 day of March, 2004.

Respectfully submitted,



David B. Dellenbach  
Attorney for Applicants  
Registration No. 39,166  
Customer No. 022913



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Dalebout et al.	)
		)
Serial No.:	09/737,392	) Art Unit
		) 3764
Filed:	December 15, 2000	)
		)
For:	SELECTIVELY DYNAMIC EXERCISE PLATFORM	)
		)
Examiner:	Lori Baker Amerson	)

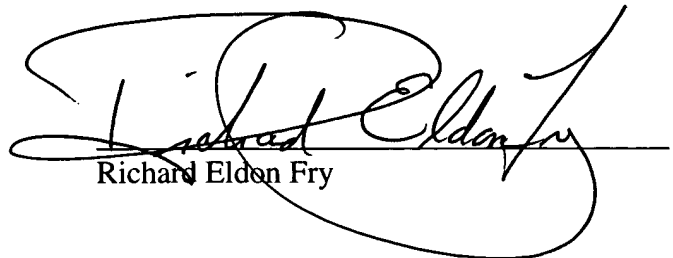
STATEMENT OF INVENTOR BEING ADDED

Mail Stop: Petitions - Inventorship  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Richard Eldon Fry, hereby state that I am a joint inventor in the above-identified application and that the error in inventorship occurred without deceptive intent on my part.

Dated this 17 day of July, 2003.

  
Richard Eldon Fry



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dalebout et al.

Serial No.:

09/737,392

Filed:

December 15, 2000

For:

SELECTIVELY DYNAMIC  
EXERCISE PLATFORM

Examiner:

Lori Baker Amerson

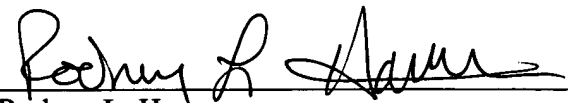
Art Unit  
3764STATEMENT OF INVENTOR BEING ADDED

Mail Stop: Petitions - Inventorship  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Rodney L. Hammer, hereby state that I am a joint inventor in the above-identified application and that the error in inventorship occurred without deceptive intent on my part.

Dated this 17 day of July, 2003.

  
Rodney L. Hammer



PATENT APPLICATION  
Docket No.: 13914.632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Dalebout et al.	) Art Unit 3764
Serial No.:	09/737,392	
Filed:	December 15, 2000	
For:	SELECTIVELY DYNAMIC EXERCISE PLATFORM	
Examiner:	Lori Baker Amerson	

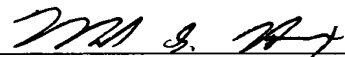
STATEMENT OF INVENTOR BEING ADDED

Mail Stop: Petitions - Inventorship  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Mark G. Hecox, hereby state that I am a joint inventor in the above-identified application  
and that the error in inventorship occurred without deceptive intent on my part.

Dated this 26 day of JULY, 2003.

  
\_\_\_\_\_  
Mark G. Hecox





PATENT APPLICATION  
Docket No.: 13914.632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Dalebout et al.	} Art Unit 3764
Serial No.:	09/737,392	
Filed:	December 15, 2000	
For:	SELECTIVELY DYNAMIC EXERCISE PLATFORM	
Examiner:	Lori Baker Amerson	

STATEMENT OF INVENTOR BEING ADDED

Mail Stop: Petitions - Inventorship  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Stephanie L. Montgomery, hereby state that I am a joint inventor in the above-identified application and that the error in inventorship occurred without deceptive intent on my part.

Dated this 12<sup>th</sup> day of September, 2003.

Stephanie L. Montgomery  
Stephanie L. Montgomery



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dalebout et al.

Serial No.:

09/737,392

Filed:

December 15, 2000

For:

SELECTIVELY DYNAMIC  
EXERCISE PLATFORM

Examiner:

Lori Baker Amerson

} Art Unit  
} 3764  
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}

CONSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP

Mail Stop: Petitions - Inventorship  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ICON IP, Inc., having a place of business at 1500 South 1000 West, Logan, UT 84321, Assignee of the patent identified above, hereby consents to the amendment thereof, to add Richard Eldon Fry, Rodney L. Hammer, Mark G. Hecox and Stephanie L. Montgomery as joint inventors with the originally named inventors, William T. Dalebout, Jaremy Butler and Adrian Van Dam.

ICON IP, Inc., certifies that it is the Assignee of the patent identified above by virtue of an assignment from William T. Dalebout, Jaremy Butler and Adrian Van Dam to Icon Health and Fitness, Inc., which is recorded at Reel 012082, Frame 0055 in the United States Patent and Trademark Office. Icon Health and Fitness, Inc. subsequently assigned the patent identified above by virtue of an assignment from Icon Health and Fitness, Inc. to ICON IP, Inc., which is recorded at Reel 012365, Frame 0100 in the United States Patent and Trademark Office.

The undersigned has reviewed the assignment documents mentioned above and to the best of the undersigned's knowledge and belief, title is to the Assignee identified above. The undersigned is empowered to sign this certificate on behalf of Assignee.

Dated this 17 day of June, 2003.

A handwritten signature in black ink, appearing to read 'Brad H. Bearnson', written over a horizontal line.

Brad H. Bearnson  
General Counsel  
ICON IP, INC.

W:\13914\632\JC0000002268V001.doc



PATENT APPLICATION  
Docket No: 13914.632

DECLARATION, POWER OF ATTORNEY, AND PETITION

- (1) Name: William T. Dalebout  
Address: 1980 N. Watertree Lane  
No. Logan, UT 84321  
Citizenship: United States of America
- (2) Name: Jaremy Butler  
Address: 8865 South 300 West  
Paradise, UT 84328  
Citizenship: United States of America
- (3) Name: Adrian Van Dam  
Address: 16 Somerset Place  
Logan, UT 84341  
Citizenship: United States of America
- (4) Name: Richard Eldon Fry  
Address: 1198 Elm Avenue  
Provo, UT 84604  
Citizenship: United States of America
- (5) Name: Rodney L. Hammer  
Address: 381 North Main  
Lewiston, UT 84320  
Citizenship: United States of America
- (6) Name: Mark G. Hecox  
Mailing Address: 1895 J.W. Foster Blvd.  
Canton, MA 02021  
City of Residence: Hingham, MA  
Citizenship: United States of America
- (7) Name: Stephanie L. Montgomery  
Mailing Address: 1895 J.W. Foster Blvd.  
Canton, MA 02021  
City of Residence: Madison, NJ  
Citizenship: United States of America

I, William T. Dalebout, declare: that my citizenship, mailing address and residence are as set forth above; that I verily believe that I and the other individuals set forth above are the original, first, and joint inventors of the subject matter of the invention or discovery entitled SELECTIVELY DYNAMIC EXERCISE PLATFORM for which a patent is sought and which is described and claimed in the specification which was filed in the United States Patent and Trademark Office as Serial No. 09/737,392 on December 15, 2000; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by Amendment "A" dated June 21, 2002 and Amendment "B" dated February 7, 2003; and that I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint as our attorneys and/or patent agents those listed under the following Customer Number with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



**022913**

PATENT TRADEMARK OFFICE


Customer Number

All correspondence and telephonic communications should be directed to:

DAVID B. DELLENBACH  
WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Wherefore, I pray that Letters Patent be granted for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Logan, Utah this 17 day of July, 2003.

Inventor:   
William T. Dalebout  
1980 N. Watertree Lane  
No. Logan, UT 84321



PATENT APPLICATION  
Docket No: 13914.632

DECLARATION, POWER OF ATTORNEY, AND PETITION

- (1) Name: William T. Dalebout  
Address: 1980 N. Watertree Lane  
No. Logan, UT 84321  
Citizenship: United States of America
- (2) Name: Jaremy Butler  
Address: 8865 South 300 West  
Paradise, UT 84328  
Citizenship: United States of America
- (3) Name: Adrian Van Dam  
Address: 16 Somerset Place  
Logan, UT 84341  
Citizenship: United States of America
- (4) Name: Richard Eldon Fry  
Address: 1198 Elm Avenue  
Provo, UT 84604  
Citizenship: United States of America
- (5) Name: Rodney L. Hammer  
Address: 381 North Main  
Lewiston, UT 84320  
Citizenship: United States of America
- (6) Name: Mark G. Hecox  
Mailing Address: 1895 J.W. Foster Blvd.  
Canton, MA 02021  
City of Residence: Hingham, MA  
Citizenship: United States of America
- (7) Name: Stephanie L. Montgomery  
Mailing Address: 1895 J.W. Foster Blvd.  
Canton, MA 02021  
City of Residence: Madison, NJ  
Citizenship: United States of America

I, Jaremy Butler, declare: that my citizenship, mailing address and residence are as set forth above; that I verily believe that I and the other individuals set forth above are the original, first, and joint inventors of the subject matter of the invention or discovery entitled SELECTIVELY DYNAMIC EXERCISE PLATFORM for which a patent is sought and which is described and claimed in the specification which was filed in the United States Patent and Trademark Office as Serial No. 09/737,392 on December 15, 2000; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by Amendment "A" dated June 21, 2002 and Amendment "B" dated February 7, 2003; and that I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint as our attorneys and/or patent agents those listed under the following Customer Number with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



**022913**

PATENT TRADEMARK OFFICE

Customer Number



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DAVID B. DELLENBACH  
WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Wherefore, I pray that Letters Patent be granted for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Logan, Utah this 17 day of July, 2003.

Inventor: \_\_\_\_\_

Jeremy Butler  
Jeremy Butler  
8860 South 300 West  
Paradise, UT 84328



PATENT APPLICATION  
Docket No: 13914.632

DECLARATION, POWER OF ATTORNEY, AND PETITION

- (1) Name: William T. Dalebout  
Address: 1980 N. Watertree Lane  
No. Logan, UT 84321  
Citizenship: United States of America
- (2) Name: Jaremy Butler  
Address: 8865 South 300 West  
Paradise, UT 84328  
Citizenship: United States of America
- (3) Name: Adrian Van Dam  
Address: 16 Somerset Place  
Logan, UT 84341  
Citizenship: United States of America
- (4) Name: Richard Eldon Fry  
Address: 1198 Elm Avenue  
Provo, UT 84604  
Citizenship: United States of America
- (5) Name: Rodney L. Hammer  
Address: 381 North Main  
Lewiston, UT 84320  
Citizenship: United States of America
- (6) Name: Mark G. Hecox  
Mailing Address: 1895 J.W. Foster Blvd.  
Canton, MA 02021  
City of Residence: Hingham, MA  
Citizenship: United States of America
- (7) Name: Stephanie L. Montgomery  
Mailing Address: 1895 J.W. Foster Blvd.  
Canton, MA 02021  
City of Residence: Madison, NJ  
Citizenship: United States of America

I, Adrian Van Dam, declare: that my citizenship, mailing address and residence are as set forth above; that I verily believe that I and the other individuals set forth above are the original, first, and joint inventors of the subject matter of the invention or discovery entitled SELECTIVELY DYNAMIC EXERCISE PLATFORM for which a patent is sought and which is described and claimed in the specification which was filed in the United States Patent and Trademark Office as Serial No. 09/737,392 on December 15, 2000; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by Amendment "A" dated June 21, 2002 and Amendment "B" dated February 7, 2003; and that I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint as our attorneys and/or patent agents those listed under the following Customer Number with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



**022913**

PATENT TRADEMARK OFFICE


Customer Number

All correspondence and telephonic communications should be directed to:

DAVID B. DELLENBACH  
WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Wherefore, I pray that Letters Patent be granted for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Logan, Utah this 18<sup>th</sup> day of July, 2003.

Inventor:   
Adrian Van Dam  
16 Somerset Place  
Logan, UT 84341



PATENT APPLICATION  
Docket No: 13914.632

DECLARATION, POWER OF ATTORNEY, AND PETITION

- (1) Name: William T. Dalebout  
Address: 1980 N. Watertree Lane  
No. Logan, UT 84321  
Citizenship: United States of America
- (2) Name: Jeremy Butler  
Address: 8865 South 300 West  
Paradise, UT 84328  
Citizenship: United States of America
- (3) Name: Adrian Van Dam  
Address: 16 Somerset Place  
Logan, UT 84341  
Citizenship: United States of America
- (4) Name: Richard Eldon Fry  
Address: 1198 Elm Avenue  
Provo, UT 84604  
Citizenship: United States of America
- (5) Name: Rodney L. Hammer  
Address: 381 North Main  
Lewiston, UT 84320  
Citizenship: United States of America
- (6) Name: Mark G. Hecox  
Mailing Address: 1895 J.W. Foster Blvd.  
Canton, MA 02021  
City of Residence: Hingham, MA  
Citizenship: United States of America
- (7) Name: Stephanie L. Montgomery  
Mailing Address: 1895 J.W. Foster Blvd.  
Canton, MA 02021  
City of Residence: Madison, NJ  
Citizenship: United States of America

I, Richard Eldon Fry, declare: that my citizenship, mailing address and residence are as set forth above; that I verily believe that I and the other individuals set forth above are the original, first, and joint inventors of the subject matter of the invention or discovery entitled SELECTIVELY DYNAMIC EXERCISE PLATFORM for which a patent is sought and which is described and claimed in the specification which was filed in the United States Patent and Trademark Office as Serial No. 09/737,392 on December 15, 2000; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by Amendment "A" dated June 21, 2002 and Amendment "B" dated February 7, 2003; and that I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint as our attorneys and/or patent agents those listed under the following Customer Number with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



**022913**

PATENT TRADEMARK OFFICE

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WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Wherefore, I pray that Letters Patent be granted for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at 1:44, PM this 17 day of July, 2003.

Inventor: 

Richard Eldon Fry  
1198 Elm Avenue  
Provo, UT 84604



DECLARATION, POWER OF ATTORNEY, AND PETITION

- (1)    Name:                    William T. Dalebout  
       Address:                1980 N. Watertree Lane  
                                 No. Logan, UT 84321  
       Citizenship:            United States of America
  
- (2)    Name:                    Jaremy Butler  
       Address:                8865 South 300 West  
                                 Paradise, UT 84328  
       Citizenship:            United States of America
  
- (3)    Name:                    Adrian Van Dam  
       Address:                16 Somerset Place  
                                 Logan, UT 84341  
       Citizenship:            United States of America
  
- (4)    Name:                    Richard Eldon Fry  
       Address:                1198 Elm Avenue  
                                 Provo, UT 84604  
       Citizenship:            United States of America
  
- (5)    Name:                    Rodney L. Hammer  
       Address:                381 North Main  
                                 Lewiston, UT 84320  
       Citizenship:            United States of America
  
- (6)    Name:                    Mark G. Hecox  
       Mailing Address:        1895 J.W. Foster Blvd.  
                                 Canton, MA 02021  
       City of Residence:      Hingham, MA  
       Citizenship:            United States of America
  
- (7)    Name:                    Stephanie L. Montgomery  
       Mailing Address:        1895 J.W. Foster Blvd.  
                                 Canton, MA 02021  
       City of Residence:      Madison, NJ  
       Citizenship:            United States of America



I, Rodney L. Hammer, declare: that my citizenship, mailing address and residence are as set forth above; that I verily believe that I and the other individuals set forth above are the original, first, and joint inventors of the subject matter of the invention or discovery entitled SELECTIVELY DYNAMIC EXERCISE PLATFORM for which a patent is sought and which is described and claimed in the specification which was filed in the United States Patent and Trademark Office as Serial No. 09/737,392 on December 15, 2000; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by Amendment "A" dated June 21, 2002 and Amendment "B" dated February 7, 2003; and that I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint as our attorneys and/or patent agents those listed under the following Customer Number with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



**022913**

PATENT TRADEMARK OFFICE

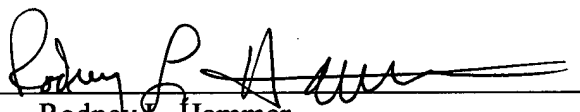
Customer Number

All correspondence and telephonic communications should be directed to:

DAVID B. DELLENBACH  
WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Wherefore, I pray that Letters Patent be granted for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Logan, Utah this 17 day of July, 2003.

Inventor:   
Rodney L. Hammer  
381 North Main  
Lewiston, UT 84320



PATENT APPLICATION  
Docket No: 13914.632

DECLARATION AND PETITION

- (1) Name: William T. Dalebout  
Address: 1980 N. Watertree Lane  
No. Logan, UT 84321  
Citizenship: United States of America
- (2) Name: Jaremy Butler  
Address: 8865 South 300 West  
Paradise, UT 84328  
Citizenship: United States of America
- (3) Name: Adrian Van Dam  
Address: 16 Somerset Place  
Logan, UT 84341  
Citizenship: United States of America
- (4) Name: Richard Eldon Fry  
Address: 1198 Elm Avenue  
Provo, UT 84604  
Citizenship: United States of America
- (5) Name: Rodney L. Hammer  
Address: 381 North Main  
Lewiston, UT 84320  
Citizenship: United States of America
- (6) Name: Mark G. Hecox  
Mailing Address: 1895 J.W. Foster Blvd.  
Canton, MA 02021  
City of Residence: Hingham, MA  
Citizenship: United States of America
- (7) Name: Stephanie L. Montgomery  
Mailing Address: 1895 J.W. Foster Blvd.  
Canton, MA 02021  
City of Residence: Madison, NJ  
Citizenship: United States of America

I, Mark G. Hecox, declare: that my citizenship, mailing address and residence are as set forth above; that I verily believe that I am an original, first, and joint inventor of the subject matter of the invention entitled SELECTIVELY DYNAMIC EXERCISE PLATFORM for which a patent is sought and which is claimed in the specification which was filed in the United States Patent and Trademark Office as Appl. No. 09/737,392 on December 15, 2000; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by Amendment "A" dated June 21, 2002 and Amendment "B" dated February 7, 2003; and that I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

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60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Wherefore, I pray that Letters Patent be granted for the invention or discovery described and claimed in the foregoing specification and claims, declaration, and this petition.

Signed at CANTON, MA this 26<sup>th</sup> day of JULY, 2003.

Inventor: Mark G. Hecox  
Mark G. Hecox  
1895 J. W. Foster Blvd.  
Canton, MA 02021



## PATENT APPLICATION

Docket No: 13914.632

## DECLARATION AND PETITION

- |     |                    |   |
|-----|--------------------|---|
| (1) | Name:              | William T. Dalebout                           |
|     | Address:           | 1980 N. Watertree Lane<br>No. Logan, UT 84321 |
|     | Citizenship:       | United States of America                      |
| (2) | Name:              | Jaremy Butler                                 |
|     | Address:           | 8865 South 300 West<br>Paradise, UT 84328     |
|     | Citizenship:       | United States of America                      |
| (3) | Name:              | Adrian Van Dam                                |
|     | Address:           | 16 Somerset Place<br>Logan, UT 84341          |
|     | Citizenship:       | United States of America                      |
| (4) | Name:              | Richard Eldon Fry                             |
|     | Address:           | 1198 Elm Avenue<br>Provo, UT 84604            |
|     | Citizenship:       | United States of America                      |
| (5) | Name:              | Rodney L. Hammer                              |
|     | Address:           | 381 North Main<br>Lewiston, UT 84320          |
|     | Citizenship:       | United States of America                      |
| (6) | Name:              | Mark G. Hecox                                 |
|     | Mailing Address:   | 1895 J.W. Foster Blvd.<br>Canton, MA 02021    |
|     | City of Residence: | Hingham, MA                                   |
|     | Citizenship:       | United States of America                      |
| (7) | Name:              | Stephanie L. Montgomery                       |
|     | Mailing Address:   | 1895 J.W. Foster Blvd.<br>Canton, MA 02021    |
|     | City of Residence: | Madison, NJ                                   |
|     | Citizenship:       | United States of America                      |

I, Stephanie L. Montgomery, declare: that my citizenship, mailing address and residence are as set forth above; that I verily believe that I am an original, first, and joint inventor of the subject matter of the invention entitled SELECTIVELY DYNAMIC EXERCISE PLATFORM for which a patent is sought and which is claimed in the specification which was filed in the United States Patent and Trademark Office as Appl. No. 09/737,392 on December 15, 2000; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by Amendment "A" dated June 21, 2002 and Amendment "B" dated February 7, 2003; and that I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

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60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Wherefore, I pray that Letters Patent be granted for the invention or discovery described and claimed in the foregoing specification and claims, declaration, and this petition.

Signed at Madison, New Jersey this 12<sup>th</sup> day of September, 2003.

Inventor: Stephanie L. Montgomery  
Stephanie L. Montgomery  
1895 J. W. Foster Blvd.  
Canton, MA 02021

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